

**FILED
SCRANTON**

JUL 25 2014

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

PER

DEPUTY CLERK

DEBRA L. ALEXANDER, adoptive
parent and Administratrix of the Estate
of SCOTT ALONZO ALEXANDER,
Plaintiff,

CIVIL ACTION NO. 3:CV-13-1758

v.

(Judge Kosik)

MONROE COUNTY, et al.,
Defendants.

ORDER

AND NOW, THIS 25th DAY OF JULY, 2014, IT IS HEREBY ORDERED
THAT:

(1) The Report and Recommendation of Magistrate Judge Thomas M. Blewitt dated December 18, 2013 (Doc. 57) is **ADOPTED in part** and **NOT ADOPTED in part**;

(2) The Defendants' Motion to Dismiss (Doc. 38) is **GRANTED in part** and **DENIED in part**, as set forth in the accompanying Memorandum;

(3) Plaintiff's requests for monetary damages, both compensatory and punitive, against Defendants, Asure and Landon, in their official capacities are **DISMISSED**;

(4) Plaintiff's request for punitive damages against Defendant Monroe County is **DISMISSED**;

(5) Plaintiff's claims under the Fifth and Fourteenth Amendment in Counts I, II, and III of the Second Amended Complaint are **DISMISSED**;

(6) Defendants' Motion to Dismiss the Eighth Amendment claims against Defendants Monroe County and Warden Asure as to Count I is **DENIED**;

(7) Defendants' Motion to Dismiss the Eighth Amendment claims against Defendant Landon in Count II is **DENIED**;

(8) Defendants' Motion to Dismiss the claims against Defendant Monroe County in Count III is **GRANTED**; and,

(9) The above-captioned action is **REMANDED** to the Magistrate Judge for further proceedings.

A handwritten signature in black ink, appearing to read 'Edwin M. Kosik', written over a horizontal line.

Edwin M. Kosik

United States District Judge